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REMARKS

The Office Action dated May 13, 2003 has been read and carefully considered and the present amendment submitted in order to make certain amendments to the claims in order to better define the invention.

In that Office Action claims 1, 11 and 13-16 were rejected under 35 U.S.C. 103(a) as being unpatentable over Howard, U.S. Patent 5,642,54, in view of Harbison, U.S. Patent 3,634,894 and further in view of Davis, U.S. Patent 5,446,519. Claims 2, 12 and 32 were rejected under 35 U.S.C. 103(a) as being unpatentable over Howard, in view of Harbison and further in view of Davis, and further in view of Dees, U.S. Patent 5,950,260. Claims 4 and 5 were rejected under 35 U.S.C. 103(a) as being unpatentable over Howard in view of Harbison and further in view of Harty, U.S. Patent 5,568,817. Claims 6, 8-10, 18 and 26 were rejected under 35 U.S.C. 103(a) as being unpatentable over Howard in view of Davis. Claims 7, 17, 21, 27-28, 31 and 33 were rejected under 35 U.S.C. 103(a) as being unpatentable over Howard in view of Davis and further in view of Dees. Claims 19 and 23 were rejected under 35 U.S.C. 103(a) as being unpatentable over Howard in view of Davis and further in view of Malm, U.S. Patent 2,600,556. Claims 24 and 25 were rejected under 35 U.S.C. 103(a) as being unpatentable over Howard in view of Quintile, U.S. Patent 5,628,080. Finally, claims 29-30 were rejected under 35 U.S.C. 103(a) as being unpatentable over Howard in view of Davis and further in view of Harty.

Accordingly, Applicant conducted a personal interview on September 23, 2003 with Examiner Thomas Ho and S.P.E. Robert J. Sandy in which all of the references were discussed in detail and the issues are believed to have been resolved with the filing of this Amendment. Applicant would like to thank both Mr. Ho and Mr. Sandy for the courteous and helpful interview and examination of the issues and their resolution.

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Thus, the specification has been amended to bring up to date the issuance of the U.S. Patent on the patent application that is referred to on page 14 and incorporated into the present application by reference.

As to the claims, the amended claim 1 was brought to the interview and it was considered to be patentable over the cited prior art with reference to the limitations to a bed frame in the traditional sense that supports a box spring and mattress and having horizontal cross members and horizontal side rails and therefore unlike the infant cribs of the cited prior art. Claim 2 is dependent upon claim 1 and is therefore submitted to be patentable for the same reasons as discussed with respect to claim 1

Claim 4 has been amended to add the same limitations as were incorporated into claim 1 and, again, is therefore believed to be patentable as now more clearly directed to a bed frame of the standard type disclosed in the present specification. The same is true of independent claim 5 with the same amendments.

Claim 6 is directed to the protective shield itself and therefore has been amended to distinguish over the softer, foam material of the cited art by reciting that the present shield has "molded plastic housings" that are "molded in a predetermined configuration" and also that there are "stiffening members" that "maintain the first and second molded plastic housings in said predetermined configurations" The stiffening members are shown in the drawings, such as in Fig. 16 as the stiffening ribs 86 and therefore it is submitted that there is no new matter entered into the application.

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In the next independent claim, that of claim 11, again the limitations have been added to that claims that were included in claim 1 and therefore it is submitted that claim 11 is patentable over the cited art for the same reasons as claim 1.

In independent claim 17, a method claim, the step of providing a pair of molded plastic housing is now recited to have a predetermined thickness and flexibility and are joined together at an area of narrower thickness to establish an area of greater flexibility in order to better define the presence of a "living hinge". The basis for that additional language is found on page 6, last paragraph, of the present specification.

Claim 18 is, again, rewritten to incorporate the new language added to claim 1 that was considered to distinguish over the cited references and thus it is submitted that claim 18 is also patentable over the cited references.

It should be noted that claims 24 and 25 that were independent claims to the presence of Indicia permanently placed on the housing have been made dependent claims that include the presence of that Indicia.

Finally in claim 26, again directed to the protective shield, the same language has been added relating to the housings being molded in a "predetermined configuration" an also that there are "stiffening members" added in order to maintain that predetermined configuration.


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As such it is submitted that all of the claim amendments have been made in accordance with the issues resolved during the personal interview and that the claims are all in allowable form and a allowance of the present application is respectfully solicited. In the event, however, that the Examiner disagrees with the allowability of any of the claims herein amended, it is respectfully requested that a phone call be made to Applicant's attorney in order to resolve any outstanding issues by phone to expedite the further prosecution of the present application.

Respectfully submitted,


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